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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184803
Party	Plaintiff Converse Inc.
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Submission	Stipulated/Consent Motion to Extend
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Signature	/B. Anna McCoy/
Date	06/11/2013
Attachments	Consent Motion to Extend Proceedings (Converse-Unit 6-11-13).pdf(100849 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Converse Inc.,	:	Opposition No. 91184803
	:	
Opposer	:	Mark: 
	:	
v.	:	Application Serial No. 79/038,026
	:	
Unit Enterprises Pty. Ltd.,	:	
	:	
Applicant	:	

**SUPPLEMENTAL CONSENTED MOTION TO EXTEND DISCOVERY OR TRIAL
PERIODS FOR 60 DAYS**

In the opposition no. 91184803, Opposer, Converse Inc., and Applicant, Unit Enterprises Pty. Ltd., hereby jointly move for an additional 60-day extension of the opposition proceedings. This motion supplements the consented motion for an extension of time filed on June 6, 2013 where Opposer notes that the consented motion failed to include a detailed progress report as requested in the order set forth November 28, 2011. By this motion, Opposer submits a supplemental consented motion to suspend proceedings with the following detailed progress report.

Specifically, pursuant to the Order dated April 09, 2013, the proceedings are to resume on June 11, 2013. Converse Inc. requests that the close of discovery currently set to close on July 11, 2013 be extended for 60 days, or until September 9, 2013 and that all subsequent dates be reset accordingly (as provided below and in the extension request filed June 6, 2013).

Time to Answer:	Closed
Deadline for Discovery Conference:	Closed
Discovery Opens:	Closed
Initial Disclosures Due:	Closed
Expert Disclosures Due:	8/10/2013
Discovery Closes:	9/9/2013
Plaintiff's Pretrial Disclosures:	10/24/2013
Plaintiff's 30-day Trial Period Ends:	12/08/2013
Defendant's Pretrial Disclosures:	12/23/2013
Defendant's 30-day Trial Period Ends:	2/6/2014
Plaintiff's Rebuttal Disclosures:	2/21/2014
Plaintiff's 15-day Rebuttal Period Ends:	3/23/2014

The parties request the extension based on continued engagement in settlement discussions. Below is a detailed report regarding the status of the settlement negotiations.

The parties have actively been working with their respective clients to move settlement forward and a close-to-final settlement agreement has been exchanged. At the outset, it is important to note that this proceeding concerns two global companies and their trademarks that are used in a number of countries around the world. The parties' efforts to resolve this US proceeding also involve the parties' efforts to resolve alleged issues and the parties' rights in other countries.

After discussions with outside counsel in the United States and abroad, and in-house counsel and management in both the United States and abroad, the parties tentatively reached a global settlement in principle involving the issues in the instant opposition proceeding. The parties have had numerous settlement discussions and communications regarding the overall settlement terms and scope of the proposed settlement agreement. Specifically, further revisions to the proposed settlement terms were exchanged with recent exchanges in 2013 in January 2013, February 2013, March 2013, and April 2013. Settlement negotiations have progressed such

that the terms of the draft settlement agreement have been drafted with only a few terms remaining to be confirmed between the parties.

As the Board can appreciate, the substance of the global terms and discussions cannot be revealed because they are protected under Rule 408 of the Federal Rules of Evidence. These settlement discussions and the proposed settlement terms have primarily concerned the scope of the agreement, the parties' ongoing and future obligations under the agreement, and various business considerations in the United States and in various countries. Despite the complex matters at issue, some changes in counsel, and delays due to the significant time-zone differences between the parties (the U.S. and Australia), the latest version of the draft settlement agreement was exchanged by the parties on April 10, 2013. This draft moves the agreement closer to finalization but requires further consideration and work by the parties, their business managers in various countries, and their US and foreign outside and in-house counsel.

The discussions between in-house counsel, outside counsel and management, both here and abroad, have been meaningful, and the parties anticipate that a final global written settlement agreement setting forth the respective parties' positions will be reached and executed in the next six months.

The parties are not requesting an additional suspension to improperly delay the proceedings. Instead, the suspension request is being made so that the parties can continue their complex settlement discussions, which both parties have acknowledged have been progressing in a detailed fashion. If settlement is finalized, it will avoid the need for the US opposition proceeding which will save the Board time and effort.

Accordingly, Opposer, Converse Inc., and with the consent of Applicant, Unit Enterprises Pty. Ltd., respectfully requests that the Board allow the proceedings to be extended for an additional sixty (60) days and to extend the dates as listed above. This extension is requested so that the parties may finalize the written agreement which will resolve the issues both in the United States and abroad.

Converse has secured the express consent of Unit Enterprise for the 60-day extension and the resetting of the dates requested herein.

Counsel for Opposer, Converse Inc., secured the express consent of Applicant, Unit Enterprises Pty Ltd., for the suspension requested herein. Unit Enterprises Pty Ltd. has agreed to service of the Consent Motion by electronic mail.

Dated: June 11, 2013

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "B. Anna McCoy", is written over a light blue horizontal line.

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Attorneys for Opposer

CERTIFICATE OF SERVICE

I, B. Anna McCoy, hereby certify that on June 11, 2013, a true and correct copy of the foregoing Consent Motion to Suspend Proceedings was served via email (by agreement of counsel) upon the following:

Duane M. Byers at:
nixonptomail@nixonvan.com
dmb@nixonvan.com

A handwritten signature in black ink, appearing to read "B. Anna McCoy", is written over a light gray rectangular background.

B. Anna McCoy